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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,819	07/16/2002	Hironobu Oc	220052US6PCT	9371
22850	7590	03/15/2006		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER CANTELMO, GREGG	
			ART UNIT 1745	PAPER NUMBER
DATE MAILED: 03/15/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/070,819

Applicant(s)

OE ET AL.

Examiner

Gregg Cantelmo

Art Unit

1745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 19, 2005 has been entered.

Response to Amendment

2. In response to the amendment received March 1, 2006:
- a. Claims 1 and 3-7 are pending;
 - b. The previous 112 rejections are withdrawn in light of the amendment;
 - c. The allowability of claims 3 and 7 are withdrawn in light of new art of record;
 - d. The previous rejections of record stand in combination with the new art of record.

Priority

3. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on July 10, 2000. It is noted, however, that applicant has not filed a certified copy of the Japanese application as required by 35 U.S.C. 119(b). The IB has not provided the Examiner with a photocopy of the foreign priority document.

Claim Rejections - 35 USC § 103

Art Unit: 1745

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art relied upon in the instant application in view of U.S. patent No. 5,909,102 (Stone) U.S. Design Patent No. D. 486,448 (Watanabe), all of record and newly cited U.S. Patent No. 6,027,381 (Lok).

The admitted prior art of Figs. 10A-10D, 11 and 12A-12C disclose a receptacle for battery-using apparatuses comprising: a plug inserting removing portion 103, a signal post 102 on the other side of the plug portion 103, electrode disposing portion 106 on the side of portion 103 which is provided with a contact for a battery 104 made of plate springs protruding in parallel with each other on a surface of said plug inserting/removing portion 103.

The battery contact of the admitted prior art comprises: a board connecting portion 104b to connect to a circuit board in the electronic device; a slant strip 104c complied with the board connecting portion which protrudes towards the electrode disposing portion 106 and is flexible toward the electrode disposing portion; an electrode contact portion 108 formed at the tip of slant strip 104c having a rough U-shape protruding from the rear surface of the electrode disposing portion and which comes into contact with the battery electrode (as applied to claims 1, 3 and 7).

Art Unit: 1745

The receptacle has a housing space opened toward an under surface and top surface of the electrode disposing portion wherein (Fig. 12 C as applied to claims 1, 3, and 5-7).

The differences between the claims and the admitted prior art relied upon in the instant application are that the admitted prior art relied upon in the instant application does not teach of the electrode disposing portion provided with a contact for a battery protruding on a rear surface side of the plug inserting/removing portion (claims 1, 3 and 7), of the contact providing site (claims 1, 3 and 7); of the housing space opened toward a rear surface side of the electrode disposing portion (claims 1, 3 and 7); of the presence of a notch hole as defined in claims 1, 3 and 7; of the contacting electrode portion disposed on a front surface side of the electrode disposing portion (claim 4).

In the admitted prior art relied upon in the instant application the electrode disposing portion provided with a contact for a battery protruding is disposed on a top surface side of the plug inserting/removing portion (see Fig. 10B and 10D).

Stone discloses an electrode disposing portion provided with a contact for a battery wherein the electrode disposing portion is provided from a rear surface of the battery receptacle. Furthermore Stone shows the general contact board arrangement of claims 1, 3 and 7 having a board connecting portion in Fig. 5 and Fig 7. A vertical strip of the contact element is disposed along a vertical inner wall surface on a front surface side in the housing. A void surrounding locking tooth 412 is between the board connecting portion and vertical strip and the vertical strip, which has 3 dimensions,

Art Unit: 1745

extends perpendicular to the vertical strip in a thickness direction (as applied to claims 1, 3 and 7).

In providing the electrode disposing portion of Stone, the housing space would be opened toward a rear surface side of the electrode disposing portion and the contacting electrode portion would be disposed on the front surface side of the electrode disposing portion (as applied to claims 1 and 3-7).

This configuration provides a secure electrical contact between the battery and the electronic device.

Therefore it would have been obvious to one of ordinary skill in the art at the time the claimed invention was made to modify the teachings of the admitted prior art relied upon in the instant application by providing an electrode disposing portion provided with a contact for a battery wherein the electrode disposing portion is provided from a rear surface of the battery receptacle as taught by Stone since it would have provided a secure electrical contact between the battery and the electronic device.

Furthermore with respect to the notch hole:

Lok discloses providing a hole 20 in the slant strip (abstract and Fig. 1).

The motivation for providing a hole in the slant strip is to facilitate proper bending of the slant strip (abstract).

Therefore it would have been obvious to one of ordinary skill in the art at the time the claimed invention was made to modify the teachings of the admitted prior art of record relied upon in the instant application by providing a hole in the slant strip as taught by Lok since it would have facilitated proper bending of the slant strip.

Art Unit: 1745

Response to Arguments

5. Applicant's arguments with respect to claims 1 and 3-7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregg Cantelmo whose telephone number is 571-272-1283. The examiner can normally be reached on Monday to Thursday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pat Ryan can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


gc

Gregg Cantelmo
Primary Examiner
Art Unit 1745

March 13, 2006